IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE S.SIRI JAGAN

TUESDAY, THE 31ST JULY 2007 / 9TH SRAVANA 1929

WP(C).No. 23392 of 2007(I)

PETITIONER:

V.A.ABDUL LATHEEF, VARIKADAN HOUSE,
PALLIPRAM, MARAMPILLY P.O., ERNAKULAM DIST.

BY ADV. SRI.P.ALI

RESPONDENTS:

1. **THE TAHSILDAR,**
   KUNNATHUNADU TALUK, PERUMBAVOOR P.O.,
   ERNAKULAM DIST.

2. **THE ASST. EXECUTIVE ENGINEER,**
   P.W.D.(NH) SECTION, PERUMBAVOOR.

3. **THE ASST. ENGINEER, PRD SECTION,**
   PERUMBAVOOR.

4. **NAUSHAD, S/O KUNJUMUHAMMED,**
   MUNDACKAL HOUSE, PALLIPRAM,
   MARAMPILLY P.O., PERUMBAVOOR.

5. **NISHAD, -DO-**

6. **ANSHAD, -DO-**

BY GOVERNMENT PLEADER SRI.I.V.PRAMOD

THIS WRIT PETITION (CIVIL) HAVING COME UP FOR ADMISSION ON 31/07/2007, THE COURT ON THE SAME DAY DELIVERED THE FOLLOWING:

S.SIRI JAGAN,J

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W.P.(C).No.23392 of 2007

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Dated this the 31st day of July 2007

JUDGMENT

The petitioner complains that respondents 4 to 6 have blocked the drainage in a Puramboke land which is unauthorizedly occupied by respondents 4 to 6 as a result of which there is water-logging in the petitioner's properties. He also complains that because of the poultry farm conducted by respondents 4 to 6 in the puramboke land there is public nuisance also. Petitioner filed a complaint in this regard before the third respondent by Ext.P6. The petitioner has been informed that the complaint has been forwarded to the first respondent for further action. The petitioner's complaint is that although Ext.P6 is dated 13.7.2007 the first respondent has not taken any action pursuant to Ext.P6 till date. The petitioner, therefore, seeks a direction to the first respondent to take appropriate proceedings pursuant to Ext.P6 as expeditiously as possible.

I have heard the learned Government Pleader also. In the nature of the order I propose to pass, I do not think it is necessary to issue notice to respondents 4 to 6. In the facts and circumstances of the case, I direct the first respondent to take appropriate action in the matter as contemplated by law after hearing the petitioner as well as respondents 4 to 6 as expeditiously as possible, at any rate, within 2 months from the date of receipt of a copy of this judgment.

S.SIRI JAGAN, JUDGE

dvs